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# UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket No. PB 00 0013

First Inventor James W. Borchering

Title Method &amp; Apparatus for a Data First Optical Network

Express Mail Label No. EK 211 373 984 US

(Only for new nonprovisional applications under 37 CFR 1.53(b))

J1017 U.S. PTO

09/785370

10/16/01

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

- ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
*(Submit an original and a duplicate for fee prepayment)*
- ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
- ☒ Specification [Total Pages 30]  
*(preferred arrangement set forth below)*
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
- ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 2]
- Oath or Declaration [Total Pages 2]
  - ☒ Unexecuted  
*(Newly executed (original or copy))*
  - ☐ Copy from a prior application (37 CFR 1.63 (d))  
*(for continuation/divisional with Box 18 completed)*
  - ☐ DELETION OF INVENTOR(S)  
*Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).*
- ☐ Application Data Sheet. See 37 CFR 1.78

ADDRESS TO: Assistant Commissioner for Patents  
 Box Patent Application  
 Washington, DC 20231

## ACCOMPANYING APPLICATION PARTS

- ☐ Assignment Papers (cover sheet & document(s))
- ☐ 37 CFR 3.73(b) Statement of Attorney  
*(when there is an assignee)*
- ☐ English Translation Document (if applicable)
- ☐ Information Disclosure Statement (IDS)/PTO-1449
- ☐ Preliminary Amendment
- ☒ Return Receipt Postcard (MPEP 503)  
*(Should be specifically itemized)*
- ☐ Certified Copy of Priority Document(s)  
*(if foreign priority is claimed)*
- ☐ Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
- ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No. \_\_\_\_\_  
 Prior application information Examiner Group Art Unit: \_\_\_\_\_

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label ☒ Correspondence address below

Name Kenneth J. Rudofski, Tellabs Operations, Inc.  
 Address 4951 Indiana Avenue, MS 16  
 City Lisle State Illinois Zip Code 60532  
 Country USA Telephone 630-512-7027 Fax 630-512-7293

Name (Print/Type) Kenneth J. Rudofski Registration No. (Attorney/Agent) 35.997  
 Signature [Signature] Date February 16, 2001

Burden Hour Statement: This form is estimated to take 0.5 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

# FEE TRANSMITTAL for FY 2001

*Patent fees are subject to annual revision.*

**TOTAL AMOUNT OF PAYMENT** (\$) 746.00

## Complete if Known

Application Number	
Filing Date	
First Named Inventor	James W. Borchering
Examiner Name	
Group Art Unit	
Attorney Docket No.	PB 00 0013

### METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 500 - 654  
Deposit Account Name: Tellabs Operations, Inc.

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27.

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

### FEE CALCULATION

#### 1. BASIC FILING FEE

##### Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
101 710	201 355	Utility filing fee	710.00
106 320	206 160	Design filing fee	
107 490	207 245	Plant filing fee	
108 710	208 355	Reissue filing fee	
114 150	214 75	Provisional filing fee	

**SUBTOTAL (1)** (\$) 710.00

#### 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
22	20" = 2	16	36.00
3	3" = 0		
Multiple Dependent			

##### Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
103 19	203 9	Claims in excess of 20	
102 80	202 40	Independent claims in excess of 3	
104 270	204 135	Multiple dependent claim, if not paid	
109 80	209 40	** Reissue independent claims over original patent	
110 18	210 9	** Reissue claims in excess of 20 and over original patent	

**SUBTOTAL (2)** (\$) 36.00

\*for number previously paid, if greater. For Reissues see above

### FEE CALCULATION (continued)

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 390	216 195	Extension for reply within second month	
117 890	217 445	Extension for reply within third month	
118 1,390	218 695	Extension for reply within fourth month	
128 1,890	228 945	Extension for reply within fifth month	
119 310	219 155	Notice of Appeal	
120 310	220 155	Filing a brief in support of an appeal	
121 270	221 135	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,240	241 620	Petition to revive - unintentional	
142 1,240	242 620	Utility issue fee (or reissue)	
143 440	243 220	Design issue fee	
144 600	244 300	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(a)	
126 180	126 180	Submission of Information Disclosure Sheet	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
145 710	245 355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))	
179 710	279 355	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	
Other fee (specify)			

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$) 746.00

### SUBMITTED BY

Name (Print Type): Kenneth J. Rudofski  
Signature: *Kenneth J. Rudofski*

Registration No. (Attorney/Agent): 35,997

### Complete if applicable

Telephone: 630-512-7027  
Date: February 16, 2001

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



February 16, 2001

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Tellabs Docket No.:

PB 00 0013

**BOX PATENT APPLICATION**  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Presented for filing is an original patent application of:

Applicant: James W. Borchering

Title: METHOD AND APPARATUS FOR A DATA FIRST  
OPTICAL NETWORK

Enclosed are the following papers, including those required to receive a filing date  
under 37 CFR § 1.53(b):

- a. Utility Patent Application Transmittal including Specification  
(including 2 drawing sheets);
- b. Fee Transmittal for FY 2001 in duplicate;
- c. Declaration for Utility or Design Patent Application (37 CFR 1.63) (unexecuted);
- d. Postcard; and
- e. Certificate of Mailing by "Express Mail"

If this application is found to be incomplete, or if a telephone conference would otherwise be  
helpful, please call the undersigned at 630.512.7027. Kindly acknowledge receipt of this  
application by returning the enclosed postcard.

Please send all correspondence to:

Kenneth J. Rudofski  
Tellabs Operations, Inc.  
4951 Indiana Avenue, MS 16  
Lisle, IL 60532

Respectfully submitted,

Kenneth J. Rudofski

Enclosures

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the Application of: )  
James W. Borchering )  
Serial No.: To Be Assigned )  
Filed: )  
For: METHOD AND APPARATUS FOR )  
A DATA FIRST OPTICAL NETWORK )

BOX PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, D. C. 20231

**CERTIFICATE OF MAILING BY “EXPRESS MAIL”**

Dear Sir:

“Express Mail” Mailing Label Number: EK 211 373 984 US

Date of Deposit: February 16, 2001

Application of: James W. Borchering

Tellabs Docket No. PB 00 0013

Title of Application: METHOD AND APPARATUS FOR  
A DATA FIRST OPTICAL NETWORK

X        Utility Patent Application Transmittal  
            ( 30 pages plus 2 drawing sheets)

  X        Fee Transmittal (in duplicate)

  X        Declaration for Utility or Design Patent Application (37 CFR 1.63)  
            (unexecuted)

  X        Certificate of Mailing by "Express Mail"

  X        Postage Paid Return Postcard

I hereby certify that the above-identified and attached papers are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated below, and are addressed to The Assistant Commissioner for Patents, Washington, D.C. 20231.

Date: \_\_\_\_\_

By: Charles M. Kennedy  
Charles Kennedy